PATENT
(ATTORNEY DOCKET: ST98033)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: | ) | |
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| Emmanuel Conseiller et al. | ) | Group Art Unit: To Be Assigned |
| | ) | |
| Application Number: To Be Assigned | ) | Examiner: To Be Assigned |
| | ) | |
| Filed: April 11, 2001 | ) | |
| | ) | |

For: POLYPEPTIDES CAPABLE OF INTERACTING WITH ONCOGENIC MUTANTS OF THE p53 PROTEIN

**PRELIMINARY AMENDMENT**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination on the merits, please amend this application.

IN THE SPECIFICATION:

On page 1, before line 1, INSERT the following paragraph:

--This application claims priority to international PCT application PCT/FR99/02465, filed October 12, 1999, and priority to prior U.S. provisional application 60/132,331, filed May 3, 1999, and priority to French application FR 98/12754 filed October 12, 1998, each of which are specifically incorporated herein by reference to the full extent allowed. --

IN THE CLAIMS:

Please CANCEL claims 1-30 and INSERT new claims 31-97, as follows.

--31. A polypeptide capable of interacting specifically with oncogenic forms of p53, and capable of stimulating cell growth, and capable of blocking the antiproliferative effects of the wild-type form of p53.

32. The polypeptide of claim 31, comprising all or part of the amino acid sequence of SEQ ID NO. 9 or SEQ ID NO. 16, or a derivative thereof.

33. The polypeptide of claim 31, comprising all or part of the amino acid sequence of SEQ ID NO. 31 or SEQ ID NO. 22, or a derivative thereof.

34. The polypeptide of claim 31, comprising all or part of the amino acid sequence of SEQ ID NO. 33, or a derivative thereof.

35. The polypeptide of claim 33, consisting of the amino acid sequence of SEQ ID NO. 22.

36. A nucleic acid encoding a polypeptide of claim 31.

37. A nucleic acid encoding a polypeptide of claim 32.

38. A nucleic acid encoding a polypeptide of claim 33.

39. A nucleic acid encoding a polypeptide of claim 34.

40. A nucleic acid encoding a polypeptide of claim 35.

41. The nucleic acid of claim 36, comprising all or part of the nucleotide sequence of SEQ ID No. 15 or SEQ ID No. 21, or a nucleotide sequence derivative thereof.

42. The nucleic acid of claim 36, comprising all or part of the nucleotide sequence of SEQ ID No. 32, or a nucleotide sequence derivative thereof.

43. The nucleic acid of claim 36, comprising the nucleotide sequence of SEQ ID NO. 15 or SEQ ID NO. 30.

44. The nucleic acid of claim 37, comprising the nucleotide sequence of SEQ ID NO. 15 or SEQ ID NO. 30.

45. The nucleic acid of claim 36, consisting of the nucleotide sequence of SEQ ID NO. 21.

46. The nucleic acid of claim 37, consisting of the nucleotide sequence of SEQ ID NO. 21.

47. The nucleic acid of claim 36, consisting of a nucleotide sequence selected from the group consisting of SEQ ID NO. 15, 21, 30 and 32.

48. A recombinant host cell comprising an introduced nucleic acid of claim 37.

49. A recombinant host cell comprising an introduced nucleic acid of claim 38.

50. A recombinant host cell comprising an introduced nucleic acid of claim 39.

51. A recombinant host cell comprising an introduced nucleic acid of claim 40.

52. A recombinant host cell comprising an introduced nucleic acid of claim 47.

53. A vector comprising a nucleic acid of claim 37.

54. A vector comprising a nucleic acid of claim 38.

55. A vector comprising a nucleic acid of claim 39.

56. A vector comprising a nucleic acid of claim 40.

57. A vector comprising a nucleic acid of claim 47.

58. The vector of claim 53 that is a plasmid vector, a cosmid or any DNA not encapsidated by a virus.

59. The vector of claim 54 that is a plasmid vector, a cosmid or any DNA not encapsidated by a virus.

60. The vector of claim 55 that is a plasmid vector, a cosmid or any DNA not encapsidated by a virus.

61. The vector of claim 56 that is a plasmid vector, a cosmid or any DNA not encapsidated by a virus.

62. The vector of claim 57 that is a plasmid vector, a cosmid or any DNA not encapsidated by a virus.

63. The vector of claim 53 that is a recombinant viral vector or replication-defective recombinant viral vector.

64. The vector of claim 54 that is a recombinant viral vector or replication-defective recombinant viral vector.

65. The vector of claim 55 that is a recombinant viral vector or replication-defective recombinant viral vector.

66. The vector of claim 56 that is a recombinant viral vector or replication-defective recombinant viral vector.

67. The vector of claim 57 that is a recombinant viral vector or replication-defective recombinant viral vector.

68. A method for preparing a polypeptide, comprising introducing into a host cell a nucleic acid encoding a polypeptide of claim 32 operably linked to expression control sequences, culturing the cell under conditions for expressing the polypeptide, and isolating the polypeptide from the cell.

69. A method for preparing a polypeptide, comprising introducing into a host cell a nucleic acid encoding a polypeptide of claim 33 operably linked to expression control sequences, culturing the cell under conditions for expressing the polypeptide, and isolating the polypeptide from the cell.

70. A method for preparing a polypeptide, comprising introducing into a host cell a nucleic acid encoding a polypeptide of claim 34 operably linked to expression control sequences, culturing the cell under conditions for expressing the polypeptide, and isolating the polypeptide from the cell.

71. A method for preparing a polypeptide, comprising introducing into a host cell a nucleic acid encoding a polypeptide of claim 35 operably linked to expression control sequences, culturing the cell under conditions for expressing the polypeptide, and isolating the polypeptide from the cell.

72. An antisense oligonucleotide having a sequence complementary to the nucleic acid of claim 41, the oligonucleotide capable of partially inhibiting the production of a polypeptide of claim 31.

73. An antisense oligonucleotide having a sequence complementary to the nucleic acid of claim 42, the oligonucleotide capable of partially inhibiting the production of a polypeptide of claim 31.

74. An antisense oligonucleotide having a sequence complementary to the nucleic acid of claim 43, the oligonucleotide capable of partially inhibiting the production of a polypeptide of claim 31.

75. An antisense oligonucleotide having a sequence complementary to the nucleic acid of claim 44, the oligonucleotide capable of partially inhibiting the production of a polypeptide of claim 31.

76. An antisense oligonucleotide having a sequence complementary to the nucleic acid of claim 47, the oligonucleotide capable of partially inhibiting the production of a polypeptide of claim 31.

77. A nucleic acid probe capable of hybridizing with a nucleic acid of claim 37, or mRNA corresponding to the nucleic acid of claim 37.

78. A nucleic acid probe capable of hybridizing with a nucleic acid of claim 38, or mRNA corresponding to the nucleic acid of claim 38.

79. A nucleic acid probe capable of hybridizing with a nucleic acid of claim 39, or mRNA corresponding to the nucleic acid of claim 39.

80. A nucleic acid probe capable of hybridizing with a nucleic acid of claim 40, or mRNA corresponding to the nucleic acid of claim 40.

81. A nucleic acid probe capable of hybridizing with a nucleic acid of claim 47, or mRNA corresponding to the nucleic acid of claim 47.

82. An antibody or antibody fragment directed against a polypeptide having an amino acid sequence selected from the group consisting of SEQ ID No. 9, 16, 22, 31, and 33.

83. An antibody or antibody fragment capable of preventing the interaction between the oncogenic forms of p53 and a polypeptide of claim 31.

84. A method for detecting a compound capable of specific binding to a polypeptide of claim 31, comprising:

contacting the compound or a sample containing the compound molecule with a polypeptide of claim 31 under conditions allowing interaction between the polypeptide and the compound, and

detecting specific binding to the polypeptide.

85. The method of claim 84, wherein the polypeptide comprises all or part of the amino acid sequence selected from the group consisting of SEQ ID NO. 9, 16, 22, 31, and 33.

86. A method for detecting a compound capable of modulating or inhibiting the interaction between the oncogenic forms of p53 and a polypeptide of claim 31, comprising:

adding the compound or a sample containing the compound to a composition comprising the oncogenic form of p53 or a fragment thereof, and the polypeptide under conditions that permit the specific binding of the polypeptide to the oncogenic form or fragment, and

detecting the inhibition of binding between the oncogenic form or fragment and the polypeptide or the displacement of bound polypeptide as compared to a control.

87. The method of claim 86, wherein the polypeptide comprises all or part of the amino acid sequence selected from the group consisting of SEQ ID NO. 9, 16, 22, 31, and 33.

88. A compound obtained from the method of claim 86.

89. A compound obtained from the method of claim 87.

90. A composition comprising a compound detected by the method of claim 84 and a pharmaceutically acceptable vehicle.

91. A composition comprising a compound of claim 88 and a pharmaceutically acceptable vehicle.

92. A composition comprising a compound of claim 89 and a pharmaceutically acceptable vehicle.

93. A method of using of a compound of claim 91, comprising administering the compound to a cell.

94. A method of using of a compound of claim 92, comprising administering the compound to a cell.

95. A method of using of a polypeptide capable of interacting with an oncogenic forms of p53, the polypeptide comprising all or part of an amino acid sequence selected from the group consisting of SEQ ID NO. 9, 33, 31, and 22, or a derivative thereof, comprising determining a structural component of the polypeptide responsible for binding to an oncogenic form of p53, and reproducing the component by a non-peptide compound or a peptide derivative.

96. A composition comprising an antisense oligonucleotide of claim 76 and a pharmaceutically acceptable vehicle.

97. A composition comprising an antibody or antibody fragment of claim 82 and a pharmaceutically acceptable vehicle.--

IN THE ABSTRACT

Please add the attached sheet containing the Abstract after the specification and claims.

## REMARKS

Applicants amend the claims solely to reduce the filing fees and do not disclaim the right to any subject matter. No new matter is introduced in the amendments.

Applicants respectfully request that these amendments be entered and that a timely notice of allowance be issued in this case.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Date: April 11, 2001

By: _____

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